

ENTERED

October 15, 2019

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

LAWRENCE WOODSON SHORT,

Plaintiff,

VS.

JIM KALEN, *et al*,

Defendants.

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CIVIL NO. 2:19-CV-67

ORDER

The Court is in receipt of the Magistrate Judge's Memorandum and Recommendation ("M&R"), Dkt. No. 10. No objections were made to the M&R.

After reviewing the filings, the record, and applicable law, the Court **ADOPTS** the M&R, Dkt. No. 10, in substance. The Court **RETAINS** Plaintiff's claims against Officer Angel Martinez and Officer Gage Hinojosa.¹ Further, the Court **DISMISSES** Plaintiff's claims against the remaining Defendants and **DISMISSES** Plaintiff's claims against all Defendants in their official capacities.

SIGNED this 15th day of October, 2019.



Hilda Tagle
Senior United States District Judge

¹ Magistrate Judge Jason B. Libby held a hearing on September 18, 2019, in which he concluded that the initially-named Defendant Officer Benavides ("Benavides") is actually correctly identified as Officer Gage Hinojosa ("Hinojosa"). Dkt. No. 34. The Court therefore adopts the M&R insofar as Plaintiff's claims are retained against Hinojosa, not Benavides.